

REMARKS

By this amendment, claims 19, 22, and 25 have been amended. Claims 20-21, 23-24, and 26-28 have been canceled in this paper. Claims 3-6, 9-12, 15-19, 22, and 25 are pending in the application. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

Claim 28 stands rejected under 35 U.S.C. § 112, second paragraph, and has been canceled. Therefore, the rejection is now moot.

Claims 3-6, 9-12, and 15-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roy (US 6,496,859) in view of Shimizu (US 6,609,162). This rejection is respectfully traversed.

In order to establish a *prima facie* case of obviousness “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” M.P.E.P. §2142. Neither Roy nor Shimizu, even when considered in combination, teach or suggest all limitations of independent claims 19, 22, or 25.

For example, claim 22, as amended, recites a machine-implemented method for selecting an appropriate device, the method comprising, *inter alia*, “integrating said plurality of profiles to create an integrated profile ... being a profile of an ideal virtual device having every function of said devices; creating a user interface for permitting a user to select a set of functions from the integrated profile; creating a table ... specifying a preferred priority order for use of the devices ... based on the number of user selected functions available in each device; and selecting one of the devices based on the set of functions selected by the user ... and the preferred priority order specified by the table” (emphasis added). Claims 19 and 25 recite similar limitations. Applicant respectfully submits that Roy does not teach or suggest these limitations.

To the contrary, Roy teaches that “a device location protocol (DLP) over UDP broadcast request is sent out that includes a list of devices, such as printers, that have responded. The request is that only devices not on the list respond. Responses are then parsed and the responding device's network address is added to the list of responding devices.” Col. 2, ln. 44-49. Roy FIG. 7 shows an alphabetical list, but Roy is otherwise silent with respect to any order of devices in the list. The citation to Roy in the Office Action (at page 9) to support a “priority order” refers to claim 3 of Roy, having limitations matching col. 2, ln. 44-49. Applicant respectfully submits, however, that Roy does not disclose, teach, or suggest specifying a preferred priority order for use of the devices based on the number of user selected functions available in each device, as recited in claims 19, 22, and 25.

Nor does Shimizu disclose, teach, or suggest these limitations. Rather, Shimizu teaches that “priority is given in the order of the a [sic] printer having the highest speed → a printer having the second highest speed → a color printer.” Col. 13, ln. 29-31. No other priority order is disclosed, taught, or suggested by Shimizu. It is respectfully noted that the citation to Shimizu in the Office Action at page 9 to support a “priority order” does not appear to be at the referenced location, i.e., col. 6, ln. 62-67, which appears to be a description of a device profile of a single printer 2903. Thus, Shimizu does not remedy the deficiencies of Roy.

Since Roy and Shimizu, even when combined, do not teach or suggest all of the limitations of claims 19, 22, and 25, claims 19, 22, and 25 are not obvious over the cited combination. Claims 20-21, 23-34, and 26-28 have been canceled. Claims 3-6, 9-12, and 15-18 depend, respectively, from claims 19, 22, and 25, and are patentable at least for the reasons mentioned above and on their own merits. Applicant respectfully requests that the rejection be withdrawn and the claims allowed.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Dated: November 17, 2006

Respectfully submitted,

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